

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION
CIVIL CASE NO. 2:12-cv-00069-MR**

**ASSET HOLDING COMPANY 5, LLC,)
as assignee of UNITED COMMUNITY)
BANK (GEORGIA),)**

Claimant,)

vs.)

MARSHALL E. CORNBUM, et al.,)

Respondents.)

**MEMORANDUM OF
DECISION AND ORDER**

THIS MATTER is before the Court on Great Oak NC Lender LLC's Rule 59(e) Motion to Alter or Amend Judgment [Doc. 45].

The facts, legal issues, and causes of action asserted by the parties in the present matter are substantially similar to those in the case of Asset Holding Company 5, LLC v. Cornblum, et al., No. 2:12-cv-00034-MR-DLH (W.D.N.C.), and the same attorneys appear on behalf of the parties in both actions. Even though these cases have not been consolidated, the decision of this Court in the Order entered in Civil Case No. 2:12-cv-00034-MR-DLH addresses and disposes of all of the issues raised by the motion currently before the Court in this matter. The Order in in Civil Case No.


2:12-cv-00034-MR-DLH, therefore, is incorporated herein, and the current motion will be disposed of in accord therewith.

IT IS, THEREFORE, ORDERED that Great Oak NC Lender LLC's Rule 59(e) Motion to Alter or Amend Judgment [Doc. 45] is **GRANTED**, and the Order of Dismissal entered August 12, 2013 [Doc. 42] is **VACATED IN PART** with respect to the denial of Great Oak's Motion to Intervene as moot. In all other respects, the Order of Dismissal remains undisturbed.

IT IS FURTHER ORDERED that the Motion to Intervene [Doc. 36] is **GRANTED**, and Great Oak NC Lender LLC shall file its Intervenor Complaint within thirty (30) days of the entry of this Order.

IT IS SO ORDERED.

Signed: October 31, 2013


Martin Reidinger
United States District Judge

